

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

William G. Thilly

Application No.: 09/503,758

Group Art Unit: 1637

Filed: February 14, 2000

Examiner:

Confirmation No.: 7123

Title: Methods of Identifying Point Mutations in a Genome That Cause or Accelerate Disease

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>5/10/2004</u>	<u>Loretta A. Boudreau</u>
Date	Signature
<u>LORETTA A. BOUDREAU</u>	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

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Dated: May 10, 2004

PTO-1449 REPRODUCED

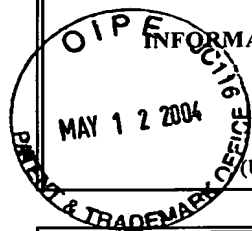
ATTORNEY DOCKET NO.  
2909.1000-004APPLICATION NO.  
09/503,758INFORMATION DISCLOSURE CITATION  
IN AN APPLICATIONFIRST NAMED INVENTOR  
William G. ThillyFILING DATE  
February 14, 2000

EXAMINER

CONFIRMATION NO.  
7123GROUP  
1637

May 10, 2004

(Use several sheets if necessary)



## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	5,976,842	11-02-1999	Wurst
	AB	US-2002-0132244-A1	09-19-2002	Li-Sucholeiki
	AC	US-2003-0092021-A1	05-15-2003	Thilly
	AD	US-2003-0143584-A1	07-31-2003	Li-Sucholeiki
	AE			
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	AC3			

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(Use several sheets if necessary)



## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION	
					YES	NO
	AL	WO 00/34652	06-15-2000	Thilly		
	AM					
	AN					
	AO					
	AP					
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	AL2					
	AM2					
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	AQ4					

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(Use several sheets if necessary)

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Cariello, N. <i>et al.</i> , "Resolution of a Missense Mutant in Human Genomic DNA by Denaturing Gradient Gel Electrophoresis and Direct Sequencing Using In Vitro Amplification: HPRT <sub>Munich</sub> ," <i>Am. J. Hum. Genet.</i> , 42:726-734 (1988)
AS	Coller, H. <i>et al.</i> , "Mutational Spectra of a 100-Base Pair Mitochondrial DNA Target Sequence in Bronchial Epithelial Cells: A Comparison of Smoking and Nonsmoking Twins <sup>1</sup> ," <i>Cancer Res.</i> , 58:1268-1277 (1998)
AT	Harris, C., "p53: At the Crossroads of Molecular Carcinogenesis and Risk Assessment," <i>Science</i> , 262:1980-1981 (1993)
AU	Khrapko, K. <i>et al.</i> , "Mitochondrial mutational spectra in human cells and tissues," <i>Proc. Natl. Acad. Sci. USA</i> , 94:13798-13803 (1997)
AV	Khrapko, K. <i>et al.</i> , "Mutational Spectrometry: Means and Ends," <i>Prog. Nucleic Acid Res. Mol. Biol.</i> , 49:285-311 (1994)
AW	Lerman, L. and Silverstein, K., "Computational Simulation of DNA Melting and Its Application to Denaturing Gradient Gel Electrophoresis," <i>Meth. Enzymol.</i> , 155:482-501 (1987)
AX	Li, X. and Thilly, W., "Use of wide-bore capillaries in constant denaturant capillary electrophoresis," <i>Electrophoresis</i> , 17:1884-1889 (1996)
AY	Li-Sucholeiki, X. and Thilly, W., "A sensitive scanning technology for low frequency nuclear point mutations in human genomic DNA," <i>Nuc. Acids Res.</i> , 28:i-viii (2000)
AZ	Miller, J., "Mutational Specificity in Bacteria," <i>Annu. Rev. Genet.</i> , 17:215-238 (1983)
AR2	Miller, R. and Riblet, R., "Improved phenol emulsion DNA reassociation technique (PERT) using thermal cycling," <i>Nucl. Acids Res.</i> , 23:2339-2340 (1995)
AS2	Robinson, D. <i>et al.</i> , "An analysis of in vivo hprt mutant frequency in circulating T-lymphocytes in the normal human population: a comparison for four datasets," <i>Mut. Res.</i> , 313:227-247 (1994)
AT2	Thilly, W., "Mutational Spectrometry in Animal Toxicity Testing," <i>Annu. Rev. Pharmacol. Toxicol.</i> , 30:369-385 (1990)

EXAMINER

DATE CONSIDERED